



# eFiling in Utah's State Juvenile Courts

## Frequently Asked Questions For Attorneys

**Updated July 2016**

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## GENERAL INFORMATION

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1. ***What setup do I need to eFile?***

A computer, an internet connection, and CARE access. Please contact your eFiling specialist to request access. Link to Juvenile Court eFiling page for CARE access and training. (<http://www.utcourts.gov/efiling/juvenile/>)

2. ***What are the most important things I should know about eFiling?***

- a. All documents bearing the signature of the filer must be submitted in searchable PDF format. Note: some documents that require multiple signatures may not be searchable.
- b. Proposed documents, such as; orders to be signed by the court must be prepared within CARE.
- c. The filer must retain the original document.
- d. Entry of appearance is obtained by filing a petition or a notice of appearance ([Rule URJP 53](#)). Judicial Support Staff will review and give firm access if appropriate.
- e. Efilers on a case may retrieve and view case related documents they have access to according to rule.
- f. It is the responsibility of counsel and the parties to redact personal identifiers that are visible within the body of an electronically filed document. ([UCJA Rule 4-202.09\(9\)](#)) Court clerks will not review any eFiled document to determine whether it includes personal information.
- g. It is important that you accurately enter data in eFiling. For example, be sure to select the correct document type when eFiling a document. The document type selected determines how the document is routed for follow-up by the court; choosing the correct document type ensures that your document will be processed as efficiently as possible.
- h. Document(s) prepared in CARE, that contain errors, will not be submitted to the court, you will be required to correct them prior to submission.
- i. What happens if the eFiling system is temporarily unavailable or my filing fails because of a technical problem? The filer is responsible for a timely filing. Best practice is to allow adequate time to file a time-sensitive document. If a technical failure of the eFiling system interferes with a case deadline, you may wish to file a stipulation or motion to accept a late filing. Contact the [CARE Trainer](#) at the court for direction. The court will likely be able to provide

information as to the status of the issue and allow alternate filing options if appropriate.

**3. *What hours is eFiling available?***

Efiling is available to submit documents 24 hours per day. When an eFiled document has passed the initial document validation edits, the date and time it was received is recorded.

When an eFiled document requiring a court signature is signed by the court, the date and time it is signed is recorded.

**4. *If a case was originally filed on paper, can subsequent filings be electronically submitted?***

Yes. Note: you must be an attorney of record before you can eFile.

**5. *What types of documents can be filed?***

Prior to August 1, 2016: documents can be filed on existing case types, including; Child Welfare, Delinquency, Protective Orders, Adoptions, etc.

Beginning August 1, 2016: new cases and/or new incidents can be filed, including; Child Welfare, Delinquency, Protective Orders, Adoptions, etc. Refer to local practice and/or training material found on the [Courts' eFiling page](#) for further direction.

**6. *Are out of state attorneys required to submit documents through eFiling?***

Attorneys with a Utah State Bar license who want to eFile in the Juvenile Court must obtain a CARE login and file documents electronically. An out of state attorney should apply to be admitted pro hac vice and obtain written consent by associate counsel licensed to practice in Utah. [UTAH R. BAR SPECIAL PRAC. 14-806.](#)

**7. *Who do I call for technical support or when there is a problem with my electronic filing?***

CARE trainers have been identified in each judicial district. A current list of those specialists is available at:

[http://www.utcourts.gov/efiling/juvenile/docs/CARE-eFiling\\_Trainers.pdf](http://www.utcourts.gov/efiling/juvenile/docs/CARE-eFiling_Trainers.pdf)

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## APPEARANCE OF COUNSEL

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1. ***Does the filing of an Appearance of Counsel automatically grant the attorney access to a case?***

Access to a case is not automatically granted when an attorney files an appearance. Not every attorney who files an appearance will get access. Access is dependent on who they represent and if the judge approves access. Also, a Motion to Intervene might be needed in order for the judge to make that determination.

**Example:** Attorneys representing the victim, the grandparents, foster parents or other interested parties might not be granted CARE access to the case.

2. ***Can I file using the eFiling account of an attorney who isn't counsel of record?***

No. Electronically filing a pleading or other paper is a certification under [URCP Rule 11](#) that the filer is an attorney of record. Attorneys who are not members of the Utah State Bar, but are attorney of record on a case (pro hac vice) must electronically file through local counsel.

3. ***What if I cannot see my case listed under the MyCases***

If you cannot see your case listed under the MyCase and you have previously entered an Appearance of Counsel, here are a few options to consider prior to contacting the court:

1. Try searching for the specific case number by entering the case number in the “Search by Input” category, under the MyCase in CARE.
2. Try broadening the search by selecting the “Search by Range” feature and select A to Z.

If you still cannot locate your case, please contact the court clerk to make sure you have been assigned the case in CARE.

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## CASE/INCIDENT CREATION (Mandatory August 1, 2016, [UCJA Rule 4-901](#))

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1. Enter data, including; case, incident and document information.

2. A pseudo case will be created, meaning the case number and/or incidents won't be assigned until judicial support staff approve the eFiling.
3. Once eFiled, access My eFiled to receive notification of case acceptance.
4. Once approved by the judicial support staff, a new case and/or incidents will be created.
5. Access My eFiled to see a note with case and/or incident creation.
6. If a filing fee is required, you must contact the court to pay. Efiling currently does not have a way to take a payment. See the filing fee section of this document for further information.
7. To file subsequent docs on a new case, the case must be accepted and created by clerical.
8. If your filing has a status of Returned, you will be able to see the note in your MyeFiled from judicial support staff if your filing is incorrect. For example, if the document was filed in a youth's case and it should have been filed in a new or existing adult case; or the case should have been filed in the District Court. In this instance you would have to refile the case or incident in the correct case or in the right court of jurisdiction.
9. You may also receive notes from judicial support staff in regards to your filings. You can not reply to these notes.
10. Check your My eFiled often. Your My eFiled will be a form of communication. Judicial support staff will send you notes if items need to be addressed in your filing.

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## PREPARING DOCUMENTS FOR EFILING SUBMISSION

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1. ***In what format must documents be eFiled?***  
All documents bearing the signature of the filer must be submitted in searchable PDF format. Proposed documents, such as orders, to be signed by the court must be prepared within CARE.
2. ***Can I create pre-canned verbiage templates for proposed document?***  
This feature is available. Request for this access must be submitted to the Trial Court Executive or Clerk of Court. Check your agency or firm policy to determine if access should be requested.

If access is granted the template for the order exists in CARE. The case information will populate the order heading when the case name or number is entered. The text for the order will be created by the filer, this can be typed in CARE or you can copy and paste from existing text you have prepared. The order will file with the court as a proposed

order. Once the court takes action on the proposed order you will receive notification of that action.

3. ***Can I create a double header in my proposed document?***

No. If a double heading is needed, you'll need to file a .pdf document with the court. However, double headings within one document is not recommended. Note: the court will not be able to digitally sign your document, nor will you receive electronic notification.

4. **Will there be any compatibility issues when cutting and pasting from a Word or Word Perfect document to CARE for the purpose of creating a Proposed Order?**

There may be compatibility issues when cutting and pasting from a Word or Word Perfect document into a proposed order in CARE. For example, some special characters may not translate over correctly. The filer will get an alert pop up box message if any text is converted, the pop up box message will state the following *"Special characters (smart quotes, ellipsis, etc.) were found in template verbiage text and were converted"*.

5. ***Are all PDFs searchable?***

No. PDFs are "searchable" when you can search for words or data within the document. Most word processing applications like Word Perfect or MS Word allow you to convert your text document to a searchable PDF. When you scan a document, the scanner creates an image of the document. The image can be converted to a PDF file, but the result is only an image or picture of the document. An image-only PDF is not searchable.

6. ***Are there guidelines for the formatting I use in my documents?***

The documents you eFile must still comply with [URCP Rule 10\(d\)](#). Additionally, using a standard font, like Times New Roman, decreases the likelihood of technical problems with your document. Wherever possible, try to avoid the use of drawing tools, special tabs, or headers and footers in your document. These elements can cause problems with the way your document appears in eFiling. Additionally, the Court has identified the following recommendations:

- Do not include punctuation or special characters (\$) in entry of document titles
- Use tables (instead of tabs) for document setup and formatting (PDF only)
- Disable "auto date" feature in word processing software (everything)

7. ***Can I submit color documents?***

No. Color documents do not meet the eFiling specifications. Please submit color documents in black and white.

8. ***My address has changed. Should I put my new address on my documents?***

Yes, but be sure you also change your address with the Utah State Bar. Each week the court receives from the Bar a list of all attorney address updates made in the prior week. The court case management system is updated with these new addresses. When you update your address with the Bar, please do not backdate the effective date. Similarly, name changes should be reported to the Bar as soon as possible.

9. ***Do eFiled documents need the case name, case number and incident numbers in the caption?***

Yes. Case names, case numbers and incident numbers are required on eFiled documents.

10. ***Is there a limitation on the size of documents that can be filed electronically?***

The court eFiling system will accept documents with an electronic file size of up to 5 MB. Larger documents must be filed in sections. Be sure you do not scan your documents in color and avoid using colored paper to reduce the size of your documents.

If your document is over 5MB, split the document into sections less than 5MB each. Efiling will allow you to upload multiple sections in one batch. Once efiled the document will be combined into one document.

Documents larger than 8 ½" X 11" should not be eFiled. If you must eFile an exhibit that is larger than 8 ½" X 11", keep in mind that the Court cannot print these documents, and you may be asked to file a courtesy copy conventionally.

11. ***Do I need to sign the documents I file?***

Yes, but not in the way you typically sign a document. A person may sign a document using any form of signature recognized by law as binding ([URCP Rule 11](#)). To electronically sign a document, the document must contain your typed or printed name ([URCP Rule 10](#)).

If statute requires a notarized signature on the document, a notary acknowledgment on an electronic message or document is considered complete without the imprint of the notary's seal if the following information appears electronically within the document:

- (a) the notary's full name and commission number appearing exactly as indicated on the notary's commission; and
- (b) the words "notary public," "state of Utah," and "my commission expires on \_\_\_\_\_ (date)". (*UCA 46-1-16*)

If rule requires an affidavit or a notarized, verified or acknowledged signature, a declaration may be submitted ([78B-5-705](#)). The following information should appear within the electronic document.

I declare (or certify, verify, or state) under criminal penalty of the State of Utah that the           foregoing is true and correct.

Executed on (date).

(Signature)

***Additional Information about Signatures:***

Filer's signature.

The submission of a document filed under the filer's user name will constitute an original filing. The court will maintain an audit trail of electronic filing events. The process of logging into a system, combined with the filer's typed signature on the document, represents a valid electronic signature. Utah does not require an individual to purchase a certificate from a Certificate Authority to create a digital signature.

***Signature form***

The filer's signature will be represented by a typed signature as provided in the Utah Rules of Civil Procedure, Rule 10 and Rule 11. The form of the typed signature shall be represented as:

/s/ Filers Name

Signature Example:

/s/ John Smith

If an electronic document must be acknowledged, it should be done in accordance with Section 46-1-16.

***Signatures of additional filers***

When a document requires the signature of additional people, the original filer will obtain approval and authorization to electronically sign the document on behalf of the other people. Such approval shall be indicated by the following signature:

/s/ Other Filer Name

Signed by Filer Name with permission of Other Filer Name

Example:

/s/ Jane Smith

Signed by John Smith with permission of Jane Smith

The submission of a document signed with a typed /s/ Filer Name together with the user name from the filer's Service Provider will constitute an original signature. False representation of permission to sign for another person may be sanctioned under URCP



**12. Are orders signed the same way as they are in District Court with the box in the upper right hand corner?**

No. Orders prepared in the CARE system are not signed the same way as they are in District Court. Orders are digitally signed by the Judge and the digital signature page with the Court seal will appear on the last page of the document. You should not include the verbiage, " The Judge's signature will be at the top of the first page" on the order.

**13. Do I need to include a signature line on the orders I prepare for the Judge to sign?**

No. When the Judge signs the order, the digital signature verbiage will appear at the bottom of the document with the court seal.

**14. Do I need to do anything else before submission?**

Before submission, you should review each document to ensure it's the correct document, contains the case name, case number and incident number(s), is readable, displays right-side up, contains only pages that are part of the filing, and complies with the redaction of personal identifying information requirements of [UCJA Rule 4-202.09\(9\)](#)

**15. Can my motion and proposed order be linked?**

Yes. Attorneys can link a motion to a proposed order and can link an amended order to the original order. For additional information review the "How Do I" document for linking documents for attorneys posted on the court's website at <https://www.utcourts.gov/efiling/juvenile/>.

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## PREPARING DATA FOR EFILING SUBMISSION

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**1. I have chosen the document type, but what is the "Document Title" box for?**

The document title box is used along with the document type to display the document title in the court docket. For example:

Document type: *Motion*

Document title: *Motion to Terminate Probation*

NOTE: Use the Document Type and/or Document Title to include the entire title of your eFiled document. Please do not shorten, abbreviate or summarize the document title.

Please note that using special characters in the title (e.g. §) can cause technical problems in eFiling that may delay the processing of your document. Avoid special characters wherever possible. Similar issues result from copying and pasting a document

title into the Document Title field. To avoid these issues, type your document title rather than pasting it in.

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## AFTER YOU'VE SUBMITTED YOUR DOCUMENTS

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1. ***Is my eFiling automatically approved when it is received?***

Barring any technical issues, all documents bearing the signature of the filer (filed in PDF) are automatically approved and entered into the court record. Draft documents, such as orders, to be signed by the court are automatically converted to PDF and entered into the court record as "Proposed" Orders. The court order is not automatically entered into the court record; they must be reviewed and entered by the court. Reference when a user may file something on a wrong case (file a adult case in a youth's case/district court. Add when a user files a new petition and the clerk needs to review and accept the document.

2. ***What will the filed date of my eFiled document be?***

When an eFiled document bearing the signature of the filer is received by the court, the date and time it was received is recorded as the filed date and time. For example, if an eFiled document is received on April 4 at 7:30 pm, the date and time recorded is April 4 at 7:30 pm.

When an eFiled document requiring a court signature is received, the proposed order will bear the date and time it was filed. When the document is signed by the court, the filing date and time will be record.

3. ***Can the court delete the documents I eFiled in error?***

If documents have been filed in error the filer will be required to file a motion to have those documents deleted/removed. Only upon court order will documents be deleted/removed. Please review your document to ensure it's the correct document, contains the case number, is readable, displays right-side up, contains only pages that are part of the filing, and complies with the redaction of personal identifying information requirements of [UCJA Rule 4-202.09\(09\)](#). If the document contains non-public information that was not protected, you may file a motion to classify the document as private.

4. ***If I submit a document and realize that it is incorrect or illegible, what can I do to correct it?***

The filer may always file amended documents. If documents have been filed incorrectly or are illegible you may file a motion with the court to delete/remove them. Only upon court order will documents be deleted/removed.

5. ***Can I amend a document I eFiled?***

An eFiled document may be amended through the same process used to amend a document filed over the counter. The document will be added to the docket as an amended version. The original filing will remain on file as part of the court record.

6. ***If my filing is rejected and I resubmit it, what will the filing date be?***

If an eFiling is unsuccessful, the attempted filing date does not carry over. The filed date will be the day the document was resubmitted, if approved.

7. ***Why was I asked to resubmit a document for a submission that has already been approved?***

Sometimes there are problems with images attached to an eFiled document. If there is a problem with an image attached to a previously approved eFiling, the court will contact you and ask you to resubmit the image. When resubmitting an image, please choose the document type "Other" and type RESUBMITTED (name of image) in the document title box. This will allow court staff to quickly identify your resubmitted image. Note: Filing resubmitted documents in this manner will not replace your original document; both the original and resubmitted documents will appear on the court docket.

8. ***What are the most common problems with eFilings?***

- a. The wrong incidents are selected when filing documents or orders.
- b. Proposed Orders submitted as a PDF document. Proposed orders should be prepared in CARE utilizing the template feature so the document can be digitally signed by the judge.
- c. Documents filed under the wrong document type. Review the drop down list of documents to ensure the correct document type is selected.
- d. When filing a document associated to multiple cases ensure you add all of the cases when filing the document.
- e. On a proposed order prepared in CARE it is not necessary to add the date of the order or the signature at the bottom of the proposed order as the date and digital signature will be affixed once the judge signs the order.
- f. The submitted document(s) belong to a different case.
- g. The eFiling submission includes a motion with an embedded order.
- h. The filing is a duplicate of a document or case that has already been filed.

9. ***What if I file incorrect data?***

If incorrect data has been entered into CARE, you must submit a Request for Data Correction form which is found on our web page at <https://www.utcourts.gov/efiling/juvenile/index.html>. File the Request for Data Correction in the appropriate case. Do not confuse data correction errors with documents filed incorrectly

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## FILING FEES

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**1. *Can I pay a filing fee through eFiling?***

No. At this time we are unable to take filing fees through eFiling. Judicial support staff will send you a note at the time of filing, indicating that a filing fee will need to be made prior to the calendaring of your case.

The note will also indicate that your case will be dismissed if the filing fee has not been paid within 10 calendar days of receiving the filing.

You as counsel need to check your My eFiled to view those notes sent by staff. You cannot respond to those notes. Once the filing is received by the court it is your responsibility to contact the court for payment.

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## NOTICE AND SERVICE

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**1. *How does service work with eFiling?***

Electronic filing in Juvenile Court does not constitute service pursuant to [URCP Rule 5](#). A party electronically filing a document must serve that document on other parties by one of the other methods permitted by Rule 5. Parties will not receive an email notification from the Court that a document has been filed.

**2. *How do I know if a document has been filed on my cases in CARE?***

When a proposed order is signed by the court the filer will receive an email. Notice to other parties on the case will be the filer's responsibility.

You will need to access your cases to view filings to the case. When a document is eFiled, a red folder icon will display next to that case. The red folder icon will display based on your default settings, as counsel you have the ability to set your folder to a 1-10 day period where it will pick up documents that have been filed within that window. You can also conduct a search in CARE to see if documents have been filed past your default window.

**3. *Why am I not receiving eFiling notices on one of my cases?***

With Juvenile Court eFiling the filer will not receive automated notifications on filings unless the filing was a proposed order submitted by the filer.

To review all other filings you will need to access the case and review documents. To review recent documents there is a Red Folder feature available that will display recently filed documents based on default settings.

4. ***Will I receive notification if my eFiling is rejected?***

The court at times may unsign or decline to sign a document for various reasons. If this happens, you will receive notification of the rejection and the reason(s) for the rejection. You would then be able to correct your document and refile in eFiling. The submitted document will file as part of the record but will have a watermark on it displaying Unsigned or Declined to Signed as selected by the judge or clerk.

- a. Unsigned - typically used when the judge has considered competing orders and decided to sign the other one, or when some document necessary for consideration must be filed, or for some other situation that is not a decision on the merits.
- b. Declined to Sign - typically used when the judge has made a decision on the merits that is explained either in a Minute Entry in CARE or in a Memorandum Decision.

Efiled documents will indicate problems prior to being eFiled with the court. For example, your eFiling may have a problem if you copied data from Word. If problems exist, you will receive an alert indicating those problems. You can then fix the document before submission, also, the eFile button will not display for selection if your document doesn't include a case, incidents or an attached pdf document.

5. ***What is included in eFiling notification of a signed order?***

When a proposed order is signed by the court an electronic notification will be sent to the **filer** who submitted the filing indicating "signed as is". If the filing is returned with changes made to your document, your notification will indicate, "signed with changes made". This means the Judge made changes to the proposed order.

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## EXCEPTIONS

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1. ***Will anything be accepted by mail or over the counter when eFiling is mandatory?***

Trust monies – Trust monies cannot be submitted electronically at this time. Trust monies may be submitted over the counter or through the mail. Any documents

associated with a trust deposit must be filed electronically. Courtesy copies may be submitted with the deposit. Please add the case number to any check submitted over the counter or by mail.

Exhibits – Exhibits submitted to the court and received into evidence are not electronically filed.

As a practical matter, some “things” cannot be electronically filed and will be accepted at the front counter. Some examples are: 1) oversized documents that need to remain larger than 8 ½ x 11 in order to be readable, 2) compact disks or DVDs, or 3) high quality photographs that lose too much resolution in scanning to 8 1/2 x 11 format. Judicial support staff typically receipt “things” like this and store them in the file room with the case number. Please avoid filing “things” unless they are required to support a motion.

Sealed cases – Documents cannot be electronically filed in sealed cases. These must be submitted over the counter or by mail.

Self represented litigants, law enforcement, etc will not efile. Their documents will be filed with the court in paper.

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## NOTES & SPECIAL CASES

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1. ***How should a Request to Submit be filed?***

The Request to Submit and the order should be filed as two separate documents in two separate eFiling submissions. To file a Request to Submit, select a document type of *Motions* and a Sub Doc Type of *Request to Submit*. Each time an order is filed, the filer must select the check box verifying that they have complied with the rule.

2. ***How should a Stipulation and Proposed Order be filed?***

The Stipulation and Proposed Order may be submitted as separate documents in one filing. Note: This is an exception to the standard of submitting orders separately (as outlined above)

3. ***Why was I asked to file a separate Summons (and Return) for each party/youth?***

To produce an accurate court record, it is necessary for the court to receive a separate Summons and Return of Service for each party.

4. ***I want to submit a motion and order for an overlength memorandum. How do I file it in eFiling?***

Submit the order for the overlength memorandum as a separate document in the same eFiling as the overlength memorandum. If the order is signed, the memorandum will be filed with the order in the court record. (Note: This is an exception to the standard of filing orders)

5. ***I'm submitting the return of service on a subpoena. The person served isn't a party to the case. How do I enter the data?***

If you are filing a return of service for a person who is not a party to the case, it must be filed as a "Service" document. In the "Additional Docket Text" box, enter Return of Service: Name of Person.

6. ***Why are there multiple document types for proof of service?***

a. Document type is Service:

i. Document Subtypes

1. Service, Attempted Service Unserved, Promise to Appear, Notice of Shelter Hearing, Subpoena for a witness and Return of Service on the subpoena.

The different return document types allow eFiling to gather the appropriate service information for the court docket. (Note: In all cases, please attach the return of service to the document that was served so the court can maintain a clear and accurate record. Do not file a constable's affidavit or other proof of service alone.)

- **Return of Service - Unserved** allows you to indicate that service was unsuccessful (an option you do not have if you simply select "Return of Service"). You should use this document type when filing a process server's affidavit of non-service, or any return where service was not completed.
- **Acceptance of Service** - allows you to enter service information if a party has accepted service. You should use this document type when filing an acceptance of service.
- **Summons on Return** - should be used when filing a return for a summons.
- **Return of Service** - allows you to enter service information and select the party that was served from a list of parties that exist for the case. You should use this document type for all documents where none of the special cases listed above (garnishment, incomplete service, acceptance of service, summons) apply.
- **Note that Certificate of Mailing/Service** - does not allow you to enter service information and should NOT be used to file proof of original service of process

under URCP 4. This document type should be used only when filing mailing certificates under URCP 5. Note that if you are filing a mailing certificate or similar document, your document must still have the proper heading with case and party information listed.

**Diagram of the CARE eFiling process**

